

RESOLUTION NO. 2007-21

A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY
FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE
RIVERS LEVEE IMPROVEMENT PROJECT
(CODE CIV. PROC. § 1245.230)

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Three Rivers Phase IV Levee Repair Project (the "Project") affecting a portion of Assessor's Parcel No. 020-360-002, in the County of Yuba, California (the "Property"); and

WHEREAS, TRLIA has advised the owners of the Property of the need for the Project and offered said owners an opportunity for a hearing before the TRLIA Board on April 17, 2007 pursuant to section 1245.235 of the Code of Civil Procedure, State of California; and

WHEREAS, the Board of Directors of TRLIA adopts this resolution in compliance with Section 1245.230 of the Code of Civil Procedure.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Property to be acquired is for the repair, construction, installation and maintenance of the Project.

TRLIA is authorized to acquire property for the Project pursuant to, among others, the following statutes: Government Code section 25350.5; Code of Civil Procedure section 1250.140; and Water Code section 50930.

SECTION 2. The general location and extent of the Property to be acquired is as set forth in the legal descriptions attached hereto as Exhibits A and B and accompanying map attached hereto as Exhibit C, and incorporated herein by reference.

SECTION 3. The Board of Directors declares that it has found and determined as follows:

- a. The public interest and necessity require the proposed Project.
- b. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The Property described in Exhibits A and B is necessary for the proposed Project.
- d. The offer of just compensation required by Government Code Section 7267.2 has been made to the owners of record of the Property.

PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 17th day of April, 2007 by a two-thirds (2/3) or greater vote as follows:

AYES: Directors Brown, Griego, Logue, Webb

NOES: None

ABSTAIN: None

ABSENT: Director Crippen



CHAIRPERSON

ATTEST:



Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
DANIEL G. MONTGOMERY
COUNTY COUNSEL

BY: 

EXHIBIT A

**APN 020-360-002
LEGAL DESCRIPTION
FEE TITLE ACQUISITION**

All that Real property situated in the County of Yuba, State of California, being a portion of Real property conveyed by deed to Jourbee Khang and True Y. Khang, hereinafter referred to as "Khang property", recorded in Document No. 2004R-005237 in the Official Records of said County, lying within a portion of Lot 10, Block 36, as shown upon that certain map entitled "Farm Land Colony No. 1", filed in the Office of the Recorder in said County and State in Book 1 of maps at Page 23, situated in the Southeast Quarter of Section 36, Township 15 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at the Southwest Corner of said Khang property; thence along the Westerly line of said Khang property, the following courses, North 00°57'46" East 267.87 feet; thence North 07°16'14" West 128.75 feet; thence North 01°29'01" West 45.92 feet; thence North 08°14'46" West 284.23 feet to the Northwest corner of said Khang property; thence along the Northerly line of said Khang property North 89°07'00" East 40.33 feet to a point which is 40.00 feet Easterly of when measured at right angles to the Westerly line of said Khang property; thence 40.00 feet Easterly of and parallel with said Westerly line the following courses, South 08°14'46" East 281.42 feet; thence South 01°29'01" East 46.26 feet; thence south 07°16'14" east 129.60 feet; thence South 00°57'46" West 270.63 feet to a point on the Southerly line of said Khang property; thence along said Southerly line North 89°12'44" west 40.00 feet to the point of Beginning, containing an area of 29,093 square Feet, more or less.

See Exhibit B attached hereto and made a part of this description.

End of description

The Basis of Bearings for this description is the California Coordinate System Zone 2.

This description has been prepared by me or under my direct supervision.

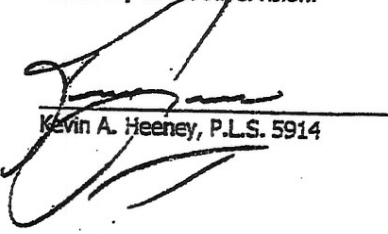

Kevin A. Heeney, P.L.S. 5914



EXHIBIT C



016150002
SSJDD

020330008
STATE OF CALIFORNIA

EASEMENT CONVEYED TO RECLAMATION
DISTRICT NO. 784, BOOK 61, PAGE 170

TOE OF
LEVEE

N89°07'00"E
40.33'

CROSS HATCH INDICATES
LAND WITHIN PARCEL 6
CONVEYED TO SSJDD IN
BOOK 61, PAGE 76

FEE TITLE ACQUISITION=29,093
SQUARE FEET OR 0.67 ACRES.

PROPERTY
BOUNDARY

N01°29'01"W
45.92'

N01°29'01"W
46.26'

020360002
KHANG

EXISTING LANDWARD
TOE OF LEVEE

EXISTING WATER SIDE
TOE OF LEVEE

S00°57'46"W
270.63'

N07°16'14"W
128.75'

S07°16'14"E
129.60'

40'

TEMPORARY CONSTRUCTION EASEMENT=1,799
SQUARE FEET OR 0.04 ACRES.

N01°07'56"E
126.87'

N89°12'44"W
40.00'

POINT OF
BEGINNING 020360050
COOPER

The foregoing instrument is a Correct Copy
of the original on file in this office
ATTEST: DONNA STOTTEMEYER
Clerk of the Board of Supervisors of the
County of Yuba, State of California

Date: April 18, 2007



OWNER:	KHANG
A.P.N.	020-360-002
ACQUISITION AREAS:	
FEE TITLE ACQUISITION	29,093 SQ. FT. (0.67 ACRES)
TEMPORARY EASEMENT	1,799 SQ. FT. (0.04 ACRES)
CTA Engineering • Surveying	

DATE: 01/31/2007	DRAWN BY: JWG	SHEET
SCALE: 1"=200'	JOB NO. 06-008-002	1 of 1
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY		

PHASE 4 FEATHER RIVER LEVEE
REPAIR PROJECT
RECLAMATION DISTRICT 784

COUNTY OF YUBA

CALIFORNIA